

**PCT**

**SECOND AND SUPPLEMENTARY  
INFORMING THE APPLICANT OF THE  
COMMUNICATION OF THE INTERNATIONAL  
APPLICATION (TO DESIGNATED OFFICES  
WHICH APPLY THE 30 MONTH TIME  
LIMIT UNDER ARTICLE 22(1))**

(PCT Rule 47.1(c))

**LS/95-23017 / A / PCT**

12.06.2006

Fremdbez.:  
Patentanwalt: Schumacher Richard  
Account: 1630.010

RC: 80.BS.3355

**CIBA SPECIALTY CHEMICALS HOLDING INC.**  
Patent Department  
Klybeckstrasse 141  
CH-4057 Basel  
SUISSE

Date of mailing (day/month/year)  
08 June 2006 (08.06.2006)

Applicant's or agent's file reference  
**LS/95-23017**

**IMPORTANT NOTICE**

|   |   |  |
|---|---|--|
| International application No.<br><b>PCT/EP2005/050362</b>       | International filing date (day/month/year)<br><b>28 January 2005 (28.01.2005)</b> | Priority date (day/month/year)<br><b>06 February 2004 (06.02.2004)</b> |
| Applicant<br><b>CIBA SPECIALTY CHEMICALS HOLDING INC. et al</b> |   |  |

- ATTENTION: For any designated Office(s), for which the time limit under Article 22(1), as in force from 1 April 2002 (30 months from the priority date), **does not apply**, please see Form PCT/IB/308(First Notice) issued previously.
- Notice is hereby given that the following designated Office(s), for which the time limit under Article 22(1), as in force from 1 April 2002, **does apply**, has/have requested that the communication of the international application, as provided for in Article 20, be effected under Rule 93bis.1. The International Bureau has effected that communication on the date indicated below:  
18 August 2005 (18.08.2005)

AU, AZ, BY, CN, CO, DZ, EP, HU, KG, KP, KR, MD, MK, MZ, NA, PG, RU, SY, TM, US

In accordance with Rule 47.1(c-bis)(i), those Offices will accept the present notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

- The following designated Offices, for which the time limit under Article 22(1), as in force from 1 April 2002, **does apply**, have not requested, as at the time of mailing of the present notice, that the communication of the international application be effected under Rule 93bis.1 :

AE, AG, AL, AM, AP, AT, BA, BB, BG, BR, BW, BZ, CA, CR, CU, CZ, DE, DK, DM, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, ID, IL, IN, IS, JP, KE, KZ, LC, LK, LR, LS, LT, LV, MA, MG, MN, MW, MX, NI, NO, NZ, OA, OM, PH, PL, PT, RO, SC, SD, SG, SK, SL, SM, TJ, TN, TR, TT, UA, UZ, VC, VN, YU, ZA, ZW

In accordance with Rule 47.1(c-bis)(ii), those Offices accept the present notice as conclusive evidence that the Contracting State for which that Office acts as a designated Office does not require the furnishing, under Article 22, by the applicant of a copy of the international application.

**4. TIME LIMITS for entry into the national phase**

For the designated or elected Office(s) listed above, the applicable time limit for entering the national phase will, subject to what is said in the following paragraph, be **30 MONTHS** from the priority date.

In practice, time limits other than the 30-month time limit will continue to apply, for various periods of time, in respect of certain of the designated or elected Office(s) listed above. For regular updates on the applicable time limits (30 or 31 months, or other time limit), Office by Office, refer to the *PCT Gazette*, the *PCT Newsletter* and the *PCT Applicant's Guide*, Volume II, National Chapters, all available from WIPO's Internet site, at <http://www.wipo.int/pct/en/index.html>.

It is the applicant's sole responsibility to monitor all these time limits.

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

**Agnes Wittmann-Regis**

Facsimile No. +41 22 740 14 35

Facsimile No. +41 22 338 89 70

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

|   |   |  |   |
|---|---|--|---|
| Applicant's or agent's file reference<br><b>LS/95-23017</b> | <b>FOR FURTHER ACTION</b>                                       |  | see Form PCT/ISA/220<br>as well as, where applicable, Item 5 below. |
| International application No.<br><b>PCT/EP2005/050362</b>   | International filing date (day/month/year)<br><b>28/01/2005</b> | (Earliest) Priority Date (day/month/year)<br><b>06/02/2004</b> |   |
| Applicant<br><b>CIBA SPECIALTY CHEMICALS HOLDING INC.</b>   |   |  |   |

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b.  With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2.  Certain claims were found unsearchable (See Box II).

3.  Unity of invention is lacking (see Box III).

4. With regard to the title,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the abstract,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. \_\_\_\_\_

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

- b.  none of the figures is to be published with the abstract.

# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/EP2005/050362

**A. CLASSIFICATION OF SUBJECT MATTER**  
IPC 7 C07D413/06 A61K31/422

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07D A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, BEILSTEIN Data, CHEM ABS Data, EMBASE, BIOSIS

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

| Category | Citation of document, with indication, where appropriate, of the relevant passages  | Relevant to claim No. |
|----------|---|-----------------------|
| X        | WO 91/18897 A (THE WELLCOME FOUNDATION LIMITED) 12 December 1991 (1991-12-12)<br>page 4, line 10 - page 5, line 14; claims 5-15; example 2<br>-----                         | 9-11,29,<br>34-38     |
| X        | WO 97/06162 A (THE WELLCOME FOUNDATION LIMITED; PATEL, RAJNIKANT) 20 February 1997 (1997-02-20)<br>Example 1, steps 6A and &B,<br>page 9, lines 1-35; claims 12,13<br>----- | 1,2,25,<br>35-38      |
| P,X      | WO 2004/014901 A (LABORATORIOS VITA, S. A; DALMASES BARJOAN, PERE; ARMENGOL ASPARO, MONT) 19 February 2004 (2004-02-19)<br>example 8<br>-----                               | 9-11,29,<br>34-38     |

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

\* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*&\* document member of the same patent family

Date of the actual completion of the international search

16 June 2005

Date of mailing of the international search report

10/08/2005

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Rudolf, M

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/EP2005/050362

## Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:  

Although claims: 38 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2.  Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3.  Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1.  As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2.  As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3.  As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4.  No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- The additional search fees were accompanied by the applicant's protest.
- No protest accompanied the payment of additional search fees.

## **INTERNATIONAL SEARCH REPORT**

#### **Information on patent family members**

International Application No  
PCT/EP2005/050362

| Patent document cited in search report |   | Publication date |  | Patent family member(s)  |  | Publication date   |  |
|--|---|------------------|--|--|--|--|--|
| WO 9118897                             | A | 12-12-1991       | AT<br>AT<br>AU<br>AU<br>CA<br>CA<br>CS<br>DE<br>DE<br>DE<br>DE<br>DK<br>EG<br>EP<br>EP<br>ES<br>FI<br>FI<br>FI<br>WO<br>GR<br>HK<br>HR<br>HU<br>HU<br>IE<br>IE<br>IL<br>IL<br>JP<br>JP<br>KR<br>LT<br>LU<br>LV<br>MC<br>MX<br>NL<br>NO<br>NZ<br>PL<br>PT<br>RU<br>SG<br>SI<br>SI<br>SK<br>RU<br>US<br>US | 156823 T<br>204275 T<br>646871 B2<br>7957091 A<br>2064815 A1<br>2282890 A1<br>9101727 A3<br>69127260 D1<br>69127260 T2<br>69132691 D1<br>69132691 T2<br>486666 T3<br>19650 A<br>0486666 A1<br>0636623 A1<br>2104708 T3<br>105686 B1<br>960155 A<br>20001406 A<br>9118897 A1<br>3024828 T3<br>1000534 A1<br>940524 A1<br>62289 A2<br>9500532 A3<br>911931 A1<br>20010862 A1<br>98392 A<br>114690 A<br>2738461 B2<br>5502679 T<br>215627 B1<br>419 A ,B<br>90205 A9<br>10274 A ,B<br>2210 A<br>9203421 A1<br>980001 I1<br>920494 A<br>238424 A<br>166214 B1<br>97888 A ,B<br>2160736 C2<br>52664 A1<br>9111010 A ,B<br>21560 A ,B<br>281621 B6<br>2110517 C1<br>5466699 A<br>5863935 A | T<br>T<br>B2<br>A<br>A1<br>A1<br>A3<br>D1<br>T2<br>D1<br>T2<br>T3<br>A<br>A1<br>A1<br>T3<br>B1<br>A<br>A1<br>A1<br>B1<br>A ,B<br>A9<br>A ,B<br>A<br>A1<br>I1<br>A<br>A<br>B1<br>A ,B<br>C2<br>A1<br>A ,B<br>B6<br>C1<br>A<br>A | 15-08-1997<br>15-09-2001<br>10-03-1994<br>31-12-1991<br>08-12-1991<br>08-12-1991<br>19-02-1992<br>18-09-1997<br>04-12-1997<br>20-09-2001<br>20-06-2002<br>30-03-1998<br>30-09-1995<br>27-05-1992<br>01-02-1995<br>16-10-1997<br>29-09-2000<br>12-01-1996<br>13-06-2000<br>12-12-1991<br>30-01-1998<br>03-04-1998<br>30-06-1996<br>28-04-1993<br>30-10-1995<br>18-12-1991<br>05-03-2003<br>19-01-1996<br>18-02-1997<br>08-04-1998<br>13-05-1993<br>16-08-1999<br>25-11-1994<br>06-04-1998<br>20-10-1994<br>26-11-1992<br>01-07-1992<br>02-03-1998<br>30-03-1992<br>23-12-1993<br>28-04-1995<br>29-05-1992<br>20-12-2000<br>28-09-1998<br>31-12-1997<br>28-02-2005<br>10-05-2001<br>10-05-1998<br>14-11-1995<br>26-01-1999 | 15-08-1997<br>15-09-2001<br>10-03-1994<br>31-12-1991<br>08-12-1991<br>08-12-1991<br>19-02-1992<br>18-09-1997<br>04-12-1997<br>20-09-2001<br>20-06-2002<br>30-03-1998<br>30-09-1995<br>27-05-1992<br>01-02-1995<br>16-10-1997<br>29-09-2000<br>12-01-1996<br>13-06-2000<br>12-12-1991<br>30-01-1998<br>03-04-1998<br>30-06-1996<br>28-04-1993<br>30-10-1995<br>18-12-1991<br>05-03-2003<br>19-01-1996<br>18-02-1997<br>08-04-1998<br>13-05-1993<br>16-08-1999<br>25-11-1994<br>06-04-1998<br>20-10-1994<br>26-11-1992<br>01-07-1992<br>02-03-1998<br>30-03-1992<br>23-12-1993<br>28-04-1995<br>29-05-1992<br>20-12-2000<br>28-09-1998<br>31-12-1997<br>28-02-2005<br>10-05-2001<br>10-05-1998<br>14-11-1995<br>26-01-1999 |
| WO 9706162                             | A | 20-02-1997       | AT<br>AU<br>AU<br>BR<br>CA<br>CN<br>CN   | 227723 T<br>718413 B2<br>6663496 A<br>9609830 A<br>2227039 A1<br>1317480 A ,C<br>1403455 A   | T<br>B2<br>A<br>A<br>A1<br>A ,C<br>A   | 15-11-2002<br>13-04-2000<br>05-03-1997<br>09-03-1999<br>20-02-1997<br>17-10-2001<br>19-03-2003   |  |

## INTERNATIONAL SEARCH REPORT

Information on patent family members

|   |
|---|
| International Application No<br>PCT/EP2005/050362 |
|---|

| Patent document cited in search report | Publication date | Patent family member(s) |              | Publication date |
|--|------------------|-------------------------|--------------|------------------|
| WO 9706162                             | A                | CN                      | 1201460 A ,C | 09-12-1998       |
|  |                  | CZ                      | 9800352 A3   | 17-06-1998       |
|  |                  | DE                      | 69624825 D1  | 19-12-2002       |
|  |                  | DE                      | 69624825 T2  | 04-09-2003       |
|  |                  | DK                      | 843672 T3    | 17-02-2003       |
|  |                  | EP                      | 1227095 A2   | 31-07-2002       |
|  |                  | EP                      | 0843672 A1   | 27-05-1998       |
|  |                  | ES                      | 2185790 T3   | 01-05-2003       |
|  |                  | WO                      | 9706162 A1   | 20-02-1997       |
|  |                  | HK                      | 1009129 A1   | 02-05-2003       |
|  |                  | HU                      | 9900188 A2   | 28-05-1999       |
|  |                  | IL                      | 123171 A     | 31-10-2003       |
|  |                  | IN                      | 185148 A1    | 25-11-2000       |
|  |                  | JP                      | 11513023 T   | 09-11-1999       |
|  |                  | JP                      | 2002037786 A | 06-02-2002       |
|  |                  | JP                      | 2002097178 A | 02-04-2002       |
|  |                  | JP                      | 2002308858 A | 23-10-2002       |
|  |                  | NO                      | 980522 A     | 06-02-1998       |
|  |                  | NO                      | 20005187 A   | 06-02-1998       |
|  |                  | NZ                      | 315040 A     | 28-01-2000       |
|  |                  | PL                      | 324881 A1    | 22-06-1998       |
|  |                  | PT                      | 843672 T     | 31-03-2003       |
|  |                  | RO                      | 119618 B1    | 28-01-2005       |
|  |                  | RU                      | 2167875 C2   | 27-05-2001       |
|  |                  | SI                      | 843672 T1    | 30-04-2003       |
|  |                  | SK                      | 15498 A3     | 03-06-1998       |
|  |                  | TR                      | 9800182 T1   | 21-05-1998       |
|  |                  | US                      | 6084103 A    | 04-07-2000       |
|  |                  | US                      | 6160123 A    | 12-12-2000       |
|  |                  | ZA                      | 9606711 A    | 18-02-1997       |
| -----                                  | -----            | -----                   | -----        | -----            |
| WO 2004014901                          | A                | 19-02-2004              | ES           | 2204302 A1       |
|  |                  |                         | AU           | 2003250476 A1    |
|  |                  |                         | EP           | 1534705 A1       |
|  |                  |                         | WO           | 2004014901 A1    |
|  |                  |                         |              | 16-04-2004       |
|  |                  |                         |              | 25-02-2004       |
|  |                  |                         |              | 01-06-2005       |
|  |                  |                         |              | 19-02-2004       |